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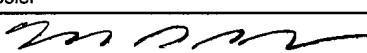
## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/660,964	
	Filing Date	09/12/2003	
	First Named Inventor	SHEPHERD	
	Art Unit	3728	
	Examiner Name		
Total Number of Pages in This Submission		Attorney Docket Number	6834-1-3

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): _____
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	AKERMAN SENTERFITT Mark D. Passler, Registration No. 40,764
Signature	
Date	

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: <b>2-10-04</b>	
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of SHEPHERD

Application No. 10/660,964

Examiner:

Filed: September 12, 2003

Group Art Unit: 3728

For: PADDED SHOE

**INFORMATION DISCLOSURE STATEMENT**  
**PURSUANT TO 37 CFR 1.97(b)**

CERTIFICATE UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 2-10-04

*Morn* Reg. No. 40,764

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the Duty to Disclose under 37 C.F.R. §1.56, the references cited on the accompanying form PTO/SB/08A are hereby brought to the attention of the Examiner for independent evaluation.

The references were cited during the prosecution of the parent applications to the present application. The first parent application is U.S. Patent Application No. 09/593,256, filed June 13, 2000 (U.S. Patent No. 6,408,542), and is relied on for an earlier effective filing date under 35 U.S.C. §120. The immediate parent application is U.S. Patent Application No. 10/194,777, filed July 12, 2002, and is also relied on for an earlier effective filing date under 35 U.S.C. §120. Information disclosure statements filed in the parent applications complied with 37 CFR §1.98(a) through (c). Therefore, in accordance with 37 CFR §1.98(d), copies of the references are not believed required, and are not enclosed herewith.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Applicants respectfully request that the listed documents be considered by the Examiner and made of record in the present application and that an initialed copy of form PTO/SB/08A be returned in accordance with MPEP §609.

Certification

This Statement is being filed within three months of the filing of this application and/or prior to the issuance of the first Office Action for the present application, and this paper is thus submitted in accordance with 37 CFR §1.97(b). In view of this certification, a fee is not required for consideration of these documents. Nevertheless, should a fee be deemed to be due by the Commissioner, such fee should be charged to Deposit Account No. 50-0951.

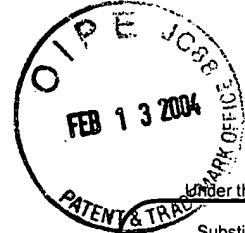
Respectfully submitted,

Dated: 2-10-04

Docket No. 6834-1-3



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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1

of 2

## Complete if Known

Application Number	10/660,964
Filing Date	09/12/2003
First Named Inventor	SHEPHERD
Art Unit	3728
Examiner Name	

Attorney Docket Number 6834-1-3

## U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> ( <i>if known</i> )			
		US- 5,117,568	06/02/1992	MITSUI	
		US- 4,377,913	03/29/1983	STONE	
		US- 3,284,931	11/15/1966	DASSLER	
		US- 4,051,613	10/04/1977	CCLLINS	
		US- 5,154,011	10/13/1992	HOLZL ET AL.	
		US- D433,212	11/07/2000	MORLE	
		US- 3,650,051	03/21/1972	SASS	
		US- 830,753	09/11/1906	VOSS	
		US- 4,372,060	02/08/1983	ADAMIK	
		US- 2,139,858	12/13/1938	SCHWARTZ ET AL.	
		US- 4,065,861	01/03/1978	PELFREY	
		US- 5,337,493	08/16/1994	HILL	
		US- 3,583,081	06/09/1971	HAYASHI	
		US- 4,972,609	11/27/1990	OH ET AL.	
		US- 4,769,928	09/13/1988	WARD	
		US- 4,624,015	11/25/1986	BOTTOMS	
		US- 4,495,715	01/29/1985	FREDRICKSON ET AL.	
		US- 3,949,493	04/13/1976	RHEE	
		US- RE. 27,512	10/24/1972	ONITSUKA	

## FOREIGN PATENT DOCUMENTS

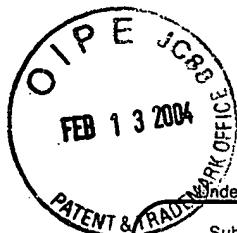
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> ( <i>if known</i> )				

Examiner Signature	Date Considered
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## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

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Sheet 2

of 2

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		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				

Examiner Signature		Date Considered	
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<sup>4</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>5</sup>Applicant's unique citation designation number (optional). <sup>6</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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